



**United States Department of the Interior
Bureau of Land Management**

Date 05/2010

**Environmental Assessment
DOI-BLM-CA-C0500-2010-021**

Scotts Valley Land Sale
(Federal Parcels)
Location: Lake County

U.S. Department of the Interior
Bureau of Land Management
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Chapter 1 - Introduction

Project Title: Scotts Valley Land Sale

Name and Address of Proponent: Rich Burns, Ukiah Field Manager
Bureau of Land Management
Department of the Interior
2550 North State Street
Ukiah, CA 95482

Case File: CACA- 50513

Project Location: Lake County, Scotts Valley, CA.
Mount Diablo Meridian, T. 15 N., R. 10 W,
Sec. 15, W2W2, SESW.
Sec. 22, All.
Sec. 27, W2NW, NWSW.

USGS Topographic Map: 7.5 minute quads
Upper Lake

Land Status Verified: Yes, parcels are under BLM federal ownership.

Affected Surface Area: 960 acres of public lands

Relationships to Statutes and Regulations:

Statutory authority for land sales is found in Section 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713) and the implementing Code of Federal Regulations (CFR) found in 43 CFR 2710, and Federal natural resource related policies and laws including:

- The proposed action is consistent with Federal natural resource related policies and laws including: Archeological Resources Protection Act of 1979 (16 U.S.C. 470aa - 470mm)
- National Historic Preservation Act of 1966 and 1999 amendment (16 U.S.C. 470 et seq.)
- Native American Graves and Repatriation Act of 1990 (43 CFR 7)
- American Indian Religious Freedom Act of 1978
- Endangered Species Act of 1973 (16 U.S.C. 1531 et seq. as amended)
- National Environmental Policy Act of 1969 (42 U.S.C. 4321)
- Federal Land Policy and Management Act of 1976

- Federal Water Pollution Control Act of 1977 (Clean Water Act) (33 U.S.C. 1251 et seq.)
- Taylor Grazing Act, as amended, 1970
- Wilderness Act of 1964
- Wild and Scenic Rivers Act of 1968
- BLM Manual Section 6840
- Executive Order 11987 Exotic Species
- Executive Order 13112 (1999) National Invasive Species Council
- Executive Order 12580 Clean Water
- Executive Order 13112 Invasive Species
- Executive Order 13186 Responsibilities of Federal Agencies to Protect Migratory Birds
- Executive Order 13084 Consultation and Coordination with Indian Tribal Government
- Executive Order 12989 Environmental Justice in Minority Populations and Low-Income Populations
- Executive Order 11990 Protection of Wetlands
- Executive Order 11988 Floodplain Management

Conformance with Applicable Land Use Plan or other Plans:

As provided by 43 Code of Federal Regulations 1610.5, the proposed action is in conformance with the September 2006 Ukiah Resource Management Plan.

-Section 2.6 Lands and Realty, Objectives, Land Tenure, page 11: “Dispose of lands and interest in lands to support local community and development needs and/or improve efficiency in BLM management of lands and resources.”

-Section 2.6 Lands and Realty, Goals, page 12: “parcel is identified as suitable for disposal pending a site specific assessment.”

The 2008 Lake County General Plan designates the sale lands as public lands, but gives no specific guidance on federal disposal of the subject land.

BACKGROUND INFORMATION

The subject parcels are a total of 960 acres in Lake County, California. The Scotts Valley area is located approximately 30 miles east of the town of Ukiah and 8 miles west of the town of Upper lake, California, south of Highway 20. The federal lands are located to the east of Scotts Valley Road, surrounded by private ownership, with no legal access to them. These parcels identified as Parcel 119-L, 125-L, and 128-L, were part of a larger block of lands previously identified for disposal for a land exchange in 2001. Not all of the federal parcels were disposed of during the exchange, and there remained “leftover” federal lands within this area. The Parcels are listed as separate individual parcels, and are adjacent to another federal parcel located in section 21. The parcel in Section 21 is

excluded from the sale parcels and included in a current proposed assembled land exchange. The parcels identified for sale are located in T. 15 N., R. 10 W., Sec, 15, 22, and 27.

Adjoining landowners have expressed interest in these parcels that they have now been identified as eligible for sale under the Federal Land Transaction Facilitation Act (FLTFA). The parcels are isolated from other public lands with no legal public access.

Purpose and Need for the Proposed Action:

Purpose – The purpose of the proposed action is to transfer the parcels of public land into private ownership and to generate funds pursuant to the Federal Land Transaction Facilitation Act (FLTFA). The sale of this parcel would fulfill BLM’s responsibility to dispose of lands which benefit the public at large as well as provide revenue sources needed for the acquisition of FLTFA nominated lands.

Need - The need for the proposed sale is that the lands have proven to be difficult, isolated, and uneconomically feasible to manage as part of the public lands. Funds from the sale are needed to purchase lands which have been nominated for acquisition pursuant to the FLTFA.

Description of Alternatives, including Proposed Action:

This Environmental Assessment (EA) has been prepared to analyze the potential disposal of 960.00 acres of federal lands. The EA is a site-specific analysis of potential impacts that could result with the implementation of a proposed action or alternatives to the proposed action.

The proposed action is to offer a competitive bid sale of the following public lands, consisting of a total of 960 acres located at Mount Diablo Meridian, T. 15 N., R. 10 W., Said parcels are identified and recorded by an official US survey. The parcels would be sold as separate parcels or in bulk as identified below.

No Action Alternative. Under the no action alternative, the proposed sale would not occur and the public lands would be retained in federal ownership for the foreseeable future. The parcels are isolated from other public lands, with no legal access, and would continue to be uneconomical and difficult to properly manage. Funds would not be generated from the sale for the Federal Land Disposal Account to purchase lands nominated for acquisition.

If approved, title would be conveyed upon completion of the comment period, and completion of necessary paperwork to convey title.

Alternatives Considered, but Dismissed from Analysis:

Previous to the proposed action in this environmental assessment the following was considered.

The “Land Exchange” Alternative. The parcels were previously identified for disposal as part of a larger land exchange in 2001, of which not all the lands were disposed of at that time. Recent consideration was given as to another land exchange; however, land exchanges are extremely time consuming and would not be cost effective to try and exchange 960 acres.

Chapter 2 - Proposed Action and Alternatives

Alternative A – Proposed Action:

The proposed action is to offer a competitive bid sale of the following public lands, consisting of a total of 960 acres located at Mount Diablo Meridian, T. 15 N., R. 10 W. Said parcels are identified and recorded by an official US survey. The parcels would be sold as separate parcels or in bulk as identified below. The parcels are also identified on attached map (Exhibit A).

Funds from the sale would be deposited into the Federal Land Disposal Account pursuant to the Federal Land Transaction and Facilitation Act (FLTFA). The Mineral Potential Report conducted in December 1994 indicates that the property has no known mineral values; therefore, the proposed sale would include the conveyance of both the surface and mineral interests of the United States.

The parcels were given a value as individual parcels and in bulk.

Parcel number	Legal Description	Acreage	Appraised Value
Parcel 119-L	T. 15 N., R. 10W. Sec. 15, W2S2, SESW.	200 acres	\$28,000
Parcel 125-L	T. 15 N., R. 10 W. Sec. 22, All.	640 acres	\$80,000
Parcel 128-L	T. 15 N., R. 10 W. Sec. 27, W2NW, NWSW	120 acres	\$17,400
Entire 960 acres			\$112,900

The sale would be conducted by inviting bidders to submit written sealed bids to the BLM. The minimum acceptable bid would be the fair market value of each individual parcel or the overall bulk value, based on the approved appraisal conducted by Mr. William L. Hafner, MAI, PhD, on behalf of the BLM. The highest bid would be declared the high bidder. If BLM receives two or more identical high bids, those bidders could submit supplemental bids.

Roles and Responsibilities:

1. Roles:

BLM Sacramento Realty Specialist – Tom Gey, Realty Specialist
BLM Ukiah Realty Specialist- Alice Vigil
BLM Sacramento Realty Specialist – Tim Wing

2. Responsibilities:

This is a joint effort of the parties involved to accomplish the administrative process of the proposed action.

Monitoring and Compliance:

No monitoring is needed other than “administrative monitoring” to make certain all paperwork is completed on time for possible transfer of lands.

Mitigation Measures:

No mitigation has been identified by BLM. Lake County General Plan has policies about the limitations of development. Application of those measures would be the responsibility of the local jurisdiction when the lands are developed.

Alternative B – No Action:

Under the no action alternative, the proposed sale would not occur and the public lands would be retained in federal ownership for the foreseeable future. No mitigation has been identified by BLM.

Chapter 3 – Affected Environment

Biological Resources

In a biological and hazmat survey prepared in 2002 by Pardee Bardwell, BLM Range Conservationist, no special status plant or animal species and their habitats observed. There were also no hazardous materials found on or near the parcel.

A review The California Native Plant Society Data Base and the California Natural Diversity Data Base was conducted on 01/20/2010, for State and Federally-listed endangered, threatened, and rare plants and animals. The reviewed determined that there are no occurrence of threatened and endangered species of plants and animals on these parcels.

The same database finds riparian habitat for the Western Pond Turtle (*Emys marmorata*) located on Parcel 125-L within Dorr creek. However, it has no BLM status, and we do not expect the transfer of this habitat out of federal ownership to affect habitat values.

Cultural Resources

Parcel 125-L was inventoried during the same 2002 survey conducted by Julie Burcell, BLM Ukiah Archaeologist and determined that there were no cultural sites on this parcel. Parcel 119-L and Parcels 128-L, was inventoried on April 4th, May 6th, and November 18, 2009, by Christopher Lloyd, BLM Ukiah Archaeologist and determined no cultural sites on the properties. There is no mitigation work needed.

Mineral potential

This area has been identified as having no mineral potential.

Hazardous Materials

No evidence of hazardous materials was observed from the air or on the ground. Another field inspection was conducted on October 2009, no hazardous materials were noted.

Visual Resources

This area has been classified as Visual Resource Management (VRM) Class III, which states in the Ukiah RMP that it must partially retain the landscape's existing character, and the level of change to characteristic landscape can be moderate. This classification for BLM lands would be irrelevant upon transfer.

Recreational Resources

The federal lands are isolated and lack legal public access. Due to the terrain of the parcels (steep and rugged) the recreational use would be low.

Existing Land Uses and Authorizations

There are no existing authorizations or land uses on any of these federal parcels. They are clear of any encumbrances.

Land Use Planning

Lake County General Plan of 2008:

Lake County approved a General Plan governing development of private lands. Although local planning and zoning designations are not binding on public lands, they become applicable when those lands are transferred into private ownership.

The General Plan includes a land use element placing all lands in certain land use designations/zones. Land use designations/zones are a fundamental component in the General Plan. The parcels proposed for sale are designation PL (Public Land) surrounded by private ownership designated rural lands. After conveyance into private ownership, we expect the land use designation to be compatible to the designation of adjacent private land.

Ukiah Resource Management Plan of September 2006:

Section 2.6.1, page 12 of this plan states: "Identify parcels for potential disposal subject to site specific assessment."

Chapter 4 Environmental Impacts

The following are either not present or would not be affected by the proposed action:
Air Quality, T&E Species, Water Quality, Areas of Environmental Concern (ACECs), Wetlands/Riparian Areas, Floodplains, Farm Lands, Environmental Justice, Hazardous and Solid Waste, Native American Religious Concerns, Wilderness, Wild and Scenic Rivers, Cultural Resources, Invasive/Non-native Species, Essential fish habitat, and Healthy Forest Initiative.

Impacts to Other Resources:

There would be no impacts to other resources

Impacts to Supplemental Authorities of Alternative B (No Action):

There would be no affects to any Supplemental Authorities.

Climate Change:

The assessment of green-house gas (GHG) emissions and climate change remains in its formative phase. The lack of scientific tools designed to predict climate change on regional or local scales limits the ability to quantify potential future impacts of climate change on resources in the project area.

The proposed action is not expected to have any impacts on GHG emissions.

Law Enforcement

The public lands would be retained in federal ownership for the foreseeable future. Trespass over federal lands onto private properties would continue to occur, straining BLM staff and law enforcement resources.

Cumulative Effects:

The sale of this property would result in the loss of overall public land base. BLMs land tenure program is to promote more efficient and effective land management. This is accomplished by exchanging or selling scattered tracts that are isolated, difficult to manage or have low resource value.

Once in private ownership, the land zoning would be determined by the county. If development of this parcel were to occur, it could require a change to the county plan and zoning for this area.

Sales of public lands have little direct impact on the human environment. The primary direct impact of transferring public lands into private ownership is to increase the value of property assessed for taxes. The estimated total value of the public lands proposed for sale is approximately \$152,000. Since property taxes are assessed at 1% of value, tax revenues generated for Lake County would be at least \$1,520. As improvements are constructed, assessed taxes would increase based on the value of the improvements.

The indirect impacts of the sale depend on the future use of the lands. Because of the county's open space zoning for this land, it can be assumed that any use of this land in the immediate future would be generally low impact. To allow for more intensive development, a zoning change would need to occur at the county level, which would require further environmental review under California Environmental Quality Act (CEQA) regulations.

Although there would be a loss of moneys in this transaction, the funds generated from the sale would be placed in the FLTFA account to be used for other land acquisitions that

are more desirable for the public. Also, the land is uneconomical and difficult to manage, and would be in the public's best interest to dispose of the land.

Although, this loss would be partially offset since a percentage of revenue generated from this sale will be allocated to the FLTFA account and used to acquire new federal lands.

Summary of Alternatives:

Alternative A – Proposed Action

The proposed action is to offer a competitive bid sale of the following public lands, consisting of a total of 960 acres located at Mount Diablo Meridian, T. 15 N., R. 10 W.

Alternative B – No Action

The 960 acre federal parcel would not be sold and remain in federal ownership.

Chapter 5 Consultation and Coordination

Persons, Groups, and Agencies Consulted:

Consultation with US Fish and Wildlife Service was not conducted as there are no listed species or habitat on the parcel proposed for sale. BLM consulted with the State Historic Preservation Officer (SHPO), Sherwood Valley Rancheria, Guidiville Indian Reservation of Pomo Indians, Robinson Rancheria, Pinoleville Pomo Nation, Coyote Valley Band of Pomo, Habematolel Pomo of Upper Lake Rancheria, Pottery Valley Tribe, Redwood Valley Rancheria, Scotts Valley Band of Pomo Indians, and the Yokayo Tribe. As of July 13, 2010, no comments were received.

Summary of Public Participation:

During preparation of the EA, the public will be notified of the proposed action by posting on the Ukiah Field Office Internet NEPA webpage on June 11, 2010. A public comment period was offered from June 11, 2010 to July 12, 2010. As of July 12, 2010, no comments were received.

Supervisory Multi-Resource Specialist Date

APPENDICES

Appendix A: Location Map

Appendix B: Exhibit A – Scotts Valley Parcels for Disposal